

## AGENDA

### Water Policy Task Force Surface and Ground Water Rights Subcommittee

1:30 November 16, 2005

NPPD, Kearney

Note: page numbers refer to the draft changes handed out at the Task Force meeting October 6.

1. 46-290(1)(a) page 29 - additions of references to 46-240.01 and 46-637.

Issue - 46-290(1)(a) lists the surface water rights that would be allowed to transfer the right under 46-290.

- By omitting the reference to 46-240.01, those surface water appropriators who had obtained a supplemental surface water right to increase their diversion rates from a rate of less than 1/70 cfs to a rate of 1/70 cfs to transfer that additional right.
- By omitting the reference to 46-637, irrigation wells within 50 feet of a stream that are required to have a surface water right could not be transferred.

2. 46-651(4) spacing of wells page 21 addition of words "and when registered" to when spacing requirements shall not apply
3. If a surface water right is transferred from land that is also irrigated by a well to land not previously irrigated, should we allow the well to continue to be used and if so, who provides the offset?

Issues for ground water rights subcommittee:

1. Authority to regulate all wells less than 50 gpm
2. Replacement wells
3. Municipal wells not required to obtain a transfer permit

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